

REMARKS

Entry of the above-noted amendments, reconsideration of the Application, and allowance of all claims pending are respectfully requested. By this amendment, claims 1, 3-4, 7-8, 12, 14-17, 20, 23, 26-27, 29-30, 33-34, and 37 are amended and claims 2, 5-6, 9-11, 13, 21-22, 24-25, 28, 31-32, and 35-36 are canceled. These amendments to the claims constitute a bona fide attempt by Applicant to advance prosecution of the Application and obtain allowance of the pending claims, and are in no way meant to acquiesce to the substance of the rejections. Support for the amendments can be found throughout the specification (e.g., in the published version of the Application, namely, *Fong et al.* US Pub. 2005/0156925, ¶ 10-12, 19-20, 23-26, and 28-29), drawings, and claims and thus, no new matter has been added. Claims 1, 3-4, 7-8, 12, 14-20, 23, 26-27, 29-30, 33-34, and 37 are pending.

Interview on March 13, 2008:

The amendments herein follow a telephone conference between the Examiner and Applicant's Attorney on March 13, 2008 in which the claims, the specification, and the art of the record were discussed, including Applicant's claims 1, 3, 9, 11, 22-23, and 30, Applicant's specification ¶ 10-12, 19-20, 23-26, and 28-29, and Bramley, Jr. et al. (USP 6,889,340) in view of Daniel L. Nice 2002 (DOS Start! <http://www.icdc.com/~dnice/dosstart.html>). Positive discussion and consideration occurred during the telephone conference in connection with the claims presented herewith, including Applicant's claims 1, 3, 23, and 30, and Applicant's previous claims 9, 11, and 22 incorporated in claim 1 presented herewith. No agreement was reached. The time and courtesy afforded Applicant's Attorney and positive discussion are gratefully acknowledged by Applicant.

Claim Rejections - 35 U.S.C. § 101:

Claims 1-22 and 30-37 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. This rejection is respectfully, but most strenuously, traversed.

Without acquiescing in the rejection, Applicant has amended claims 1, 3-4, 7-8, 12, 14-17, 20, 30, 33-34, and 37 presented herewith and respectfully submits that claims 1, 3-4, 7-8, 12, 14-20, 30, 33-34, and 37 are directed to statutory subject matter.

Withdrawal of the § 101 rejections is therefore respectfully requested. Discussion of this point connected with the claim amendments presented herewith occurred in the Interview on March 13, 2008.

Claim Rejections - 35 U.S.C. § 103:

Claims 1-37 are rejected under 35 U.S.C. §103(a) as being unpatentable over Bramley, Jr. et al. (USP 6,889,340) in view of Daniel L. Nice 2002 (DOS Start! <http://www.icdc.com/~dnice/dosstart.html>). These rejections are respectfully, but most strenuously, traversed.

While Applicant does not acquiesce in the modification or combination of the Examiner's citations to the applied references, Applicant respectfully submits that the Examiner's citations to the applied references even so modified or combined, do not teach or suggest one or more elements of the claimed invention. The missing elements were neither well-known in the art nor mere predictable uses or variations of the cited prior art.

Applicant respectfully submits that the Examiner's citations to the applied references do not teach or suggest one or more elements of the claimed invention. A careful reading of the Examiner's citations to the applied references fails to set forth a sustainable basis that the references teach or suggest, for example, the data processing system that employs a graphical user interface for one or more file management procedures of an extensible firmware interface (EFI) pre-boot operating environment employable with a command line interface, wherein the extensible firmware interface (EFI) pre-boot operating environment comprises an interface between one or more operating systems and one or more firmware components; wherein the graphical user interface employs input from the user to cause one or more of selection and execution of one or more of the one or more file management procedures; wherein the data processing system employs one or more file storage components that comprise one or more file contents that are readable by the extensible firmware interface (EFI) pre-boot operating environment; wherein the one or more file storage components comply with a file system standard that is supported by the extensible firmware interface (EFI) pre-boot operating environment through employment of an operating environment extension, wherein one or more of the one or more file management procedures comply with the file system standard; wherein the graphical user interface communicates with the one or more file storage components through employment of one or more of the one or more file management procedures, wherein the graphical user interface employs one or more of the one or more file management procedures to

navigate through the one or more file contents, wherein the graphical user interface employs the one or more of the one or more file management procedures to display information based on the one or more file contents of the one or more file storage components; wherein the graphical user interface obtains one or more of the one or more file management procedures from one or more of: the extensible firmware interface (EFI) pre-boot operating environment; and the one or more file storage components; wherein the graphical user interface sends one or more requests to the one or more of the extensible firmware interface (EFI) pre-boot operating environment and the one or more file storage components, wherein the graphical user interface receives the one or more of the one or more file management procedures from the one or more of the extensible firmware interface (EFI) pre-boot operating environment and the one or more file storage components in response to the one or more requests, as recited in Applicant's independent claim 1.

For at least the reasons presented above with reference to claim 1, claims 1, 23, 30, and 34 are believed neither anticipated nor obvious over the art of record. The corresponding dependent claims are believed allowable for at least the same reasons as independent claims 1, 23, 30, and 34, as well as for their own additional characterizations.

Withdrawal of the § 103 rejections is therefore respectfully requested. Discussion of this point connected with the claim amendments presented herewith occurred in the Interview on March 13, 2008.

Therefore, in light of at least the foregoing, Applicant respectfully believes that the present application is in condition for allowance. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 1, 3-4, 7-8, 12, 14-20, 23, 26-27, 29-30, 33-34, and 37.

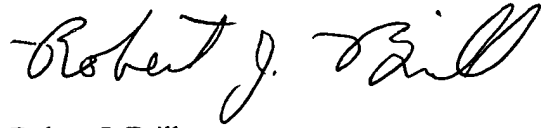
At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 C.F.R. 1.25. Additionally charge any fees to Deposit Account 08-2025 under 37 C.F.R. §§ 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

Please consider this a general authorization to charge any fee that is due in this case, if not otherwise timely paid, to Deposit Account No. 08-2025.

Applicant hereby authorizes charging of Deposit Account No. 08-2025 for any additional fees associated with entering the aforementioned claims.

Applicant appreciates the Examiner's consideration of these Amendments and Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,



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Dated: March 14, 2008
Attorney Docket No.: 200316195-1
(HPC10375P00380US)

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